

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

v.

Cr. No. H-20-635

DARUIN ANELBY ROSARIO

UNOPPOSED MOTION FOR CONTINUANCE

The defendant, DARUIN ANELBY ROSARION, moves for a continuance of the motion dates and trial:

I.

Mr. Rosario is charged in a two-count indictment with 1) conspiracy to possess stolen mail, in violation of 18 U.S.C. § 371; and 2) possession of stolen mail, in violation of 18 U.S.C. § 1708.

II.

Motions are due on December 26, 2020 and trial is set for January 25, 2021.

III.

The government advises that there is extensive discovery, including a hard drive of material from Mr. Rosario's phone. While the government has agreed to produce discovery, the materials have not yet been made available, much less reviewed. Further, there is a COVID-19 outbreak at the FDC where Mr. Rosario is detained, which substantially limits counsel's to review the case with Mr. Rosario.

IV.

The best interest of justice served by granting this unopposed motion for a 90-day

continuance of all deadlines substantially outweigh the interests of the defendant and the community in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(B)(i).

The defendant, Daruin Rosario, respectfully requests this Court to grant his unopposed motion for a 90-day continuance of all deadlines in this case.

Respectfully submitted,

s/ Marjorie A. Meyers
MARJORIE A. MEYERS
Federal Public Defender
Southern District of Texas No. 3233
Texas State Bar No. 14003750
Attorney for Defendant
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Houston, Texas 77002-1056
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CERTIFICATE OF CONFERENCE

I, Marjorie A. Meyers, certify that Assistant United States Attorney Luis Batarse has advised that the motion for a continuance is unopposed.

s/ Marjorie A. Meyers
MARJORIE A. MEYERS

CERTIFICATE OF SERVICE

I, Marjorie A. Meyers, certify that on December 17, 2020, a copy of the Unopposed Motion for Continuance was served by Notification of Electronic Filing on Assistant United States Attorney Luis Batarse.

s/ Marjorie A. Meyers
MARJORIE A. MEYERS